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Date of Deposit: 11/12/2003

Ref: Case Docket No.: P1544D1

First Named Inventor: Dan Kikinis

Serial Number: 09/911,945

Filing Date: 07/23/2001

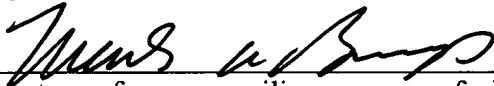
Title of Case: Enhanced Integrated Data Delivery System

I hereby certify that the attached papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and addressed to the Commissioner of Patents and Trademarks, Alexandria, VA 22313.

1. Response to Notice of Non-Compliance.
2. Response A.
3. Copy of Notice of Non-Compliant Amendment.
4. Certificate of express mailing.
5. Postcard listing contents.

Mark A. Boys

(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing papers or fee)

11-14-03

2142



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit: 2142

Examiner: Cardone, Jason D.

In Re: Dan Kikinis  
Case: P1544D1  
Serial No.: 09/911,945  
Filed: July 23, 2001  
Subject: **Enhanced Integrated Data Delivery System**

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To the Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir,

**Response to Notice of Non-Compliance**

A Notice of Non-Compliance was mailed in the above-referenced case on 10/29/2003. In response the applicant has corrected the action to list the text of withdrawn claims, and the corrected response is submitted herewith.

If there are any extensions of time required beyond an extension specifically petitioned and paid with this response, such extensions are hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,

Dan Kikinis

by

Donald R. Boys

Reg. No. 35,074

Donald R. Boys  
Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457

2401



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,945	07/23/2001	Dan Kikinis	P1544D1	8414

24739 7590 10/29/2003

CENTRAL COAST PATENT AGENCY  
 PO BOX 187  
 AROMAS, CA 95004

EXAMINER

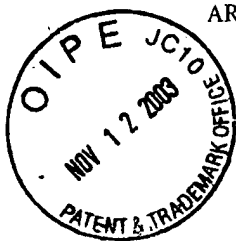
CARDONE, JASON D

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 10/29/2003



Please find below and/or attached an Office communication concerning this application or proceeding.

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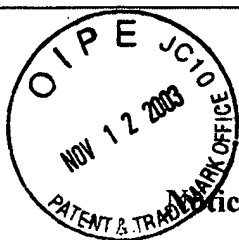
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*Non-Responsive  
 need to identify  
 withdrawn claims*



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Paper No.

**Office of Non-Compliant Amendment (37 CFR 1.121)**

The amendment document filed on 10/1/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☒ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

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For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

703/308-9045  
Telephone No.